

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 140/SIC/2009

Shri Dnyaneshwar P. Sawant,
H. No. 384, Virlosa,
Near Maritime School,
Britona,
Bardez – Goa

... Appellant.

V/s.

1) Public Information Officer
Secretary,
Village Panchayat of Penha de Franca,
Britona,
Bardez – Goa

... Respondent No.1.

2) First Appellate Authority,
Block Development Officer,
Baradez – Goa

... Respondent No.2.

Adv. G. R. Usgaonkar for the Appellant.
Respondent No. 1 in person.

J U D G M E N T

(Per Afonso Araujo)

The Appellant by request dated 16.07.2009 sought information under RTI Act pertaining to complaint lodged on 26.02.2009 by the Appellant and the inspection done on 13.07.2009 and requires the following information:

1). Why the inspection was delayed by 22 days. 2). Whether any legal document, construction license was shown on the inspection day. 3). On what basis the Panch member Gopal Sawant constructed the entire portion inspite of a complaint being lodged by the Appellant. 4) Photocopy of inspection report.

2. By communication dated 21.07.2009 the Respondent provided the information at Sr. No. 1 to 4. Not content with the information provided the Appellant preferred the First Appeal and the First

...2/-

Appellate Authority by Order dated 16.11.2009 directed the Respondent to provide the information at Sr. No. 4 within the period of seven days. As the Respondent did not provide the information at Sr. No. 4 the Appellant preferred this Second Appeal.

3. The information sought by the Appellant on 16.07.2009 the Respondent on 21.07.2009 provided the information at Sr. No. 1, 2 and 3 and in respect of information at Sr. No. 4 it is stated that the inspection could not be carried out as the inspection team was not allowed to carry out the inspection by one of the family members and as such no inspection was carried out. The Appellant produced a report dated 14.07.2009 and which is in respect of inspection to be carried out but not materialized. The contention of the Appellant is that the information sought on 16.07.2009 was specific and the Appellant requires the inspection report photocopy and the Respondent did not provide this copy of the report in the reply dated 21.07.2009. In fact, the information sought at Sr. No. 4 the Appellant requested for inspection report photocopy and if there was a report dated 04.07.2009 stating that the inspection could not be carried, the Respondent in reply dated 21.07.2009 besides stating that inspection could not be carried out, should have provided the report prepared on 14.07.2009. The Respondent suppressed the report and did not provide the information sought at Sr. No. 4 and as such it requires explanation for such incorrect information. Hence, the following Order:

ORDER

The Appeal is partly allowed.

Show Cause Notice to be issued to the Respondent for providing incorrect information.

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The Respondent to file reply to the Show Cause Notice on
17.08.2010.

Pronounced on this 16th day of July, 2010.

Sd/-
(Afonso Araujo)
State Information Commissioner

